

FILED

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U.S. District Court for The
Northern District of California

Motion To
Amendment To Complaint

Kevin Brewer A/R 936
VS

Case No CV 08 3149

Alta Bates Summit
medical Center #one

Director of Hospital #Two

Chief of Surgery #Three

Rebecca Yu MD #Four

Assisting Surgeon #Five

Amendment To Complaint
[Amount demanded
Ten million dollars
(unlimited Civil Case)]

To the Honorable Court In the above
Entitled action

Points And Authorities

- 1 § 415.96 Amendment to Complaint (Code
- 2 Civ Proc §§ 425.10 425.13, 471.5) for damages
- 3 (Civ Code § 3294; Code Civ Proc 425.13
- 4 Code Civ Proc § 425.13(a) § 415.92.5 Code Civ
- 5 Proc § 425.13(a)
- 6 Civ code § 3295(e)
- 7 Civ Code § 3294
- 8 Code Civ Proc § 425.13(a)
- 9 Code Civ Proc § 425.13(b)
- 10 Code Civ Proc § 471.5
- 11 Cal Rules of Ct Rule 3.1324
- 12 § 415.94, 415.95
- 13 § 415.92 § 415.91
- 14 Tresemer v Barke (1978) 86 Cal App 3d 656
- 15 669 672 150 Cal Rptr 384
- 16 Code Civ Proc § 340.5 § 415.47 Tresemer v
- 17 Barke (1978) 86 Cal App 3d 656 664-665 150
- 18 Cal Rptr 384
- 19 Code Civ Proc § 340.5
- 20 § 415.98 Allegation - physician's failure to
- 21 obtain Patient's Informed Consent Action
- 22 In Negligence
- 23 Trumax v Thomas (1980) 27 Cal 3d 285 292
- 24 165 Cal Rptr 308, 611 P 2d 902
- 25 Cobbs v Grant (1972) 8 Cal 3d 229 245
- 26 104 Cal Rptr 505, 502 P 2d 17
- 27
- 28

1 Bus and Prof Code § 4211.5
2 Hutchins v United States (9th Cir
3 1988) 841 F 2d 966, 967
4 § 415.99 Allegations for damages [Civ Code
5 § 3333] for personal injury Based on
6 negligence [Civ Code § 1714] By patient
7 against Physicians Employees Hospital
8 and Hospital Employees Injury to patient
9 while under Anesthesia - Res Ipsa Loquitur
10 Ybarra v Spangard (1944) 25 Cal 2d 486 490
11 491 154 P 2d 687
12 Code Civ Proc § 425.12 § 415.92
13 Bardessono v Michels (1970) 3 Cal 3d 780
14 788 788 P 5, 91 Cal Rptr 760, 478 P 2d 480
15 Ybarra v Spangard (1944) 25 Cal 2d 486 492
16 494 154 P 2d 687 § 415.11.(2) and Ch 295
17 Hospitals
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22 I declare under penalty of perjury
23 that the foregoing is true and correct
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for

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Signed August day of 26 2008

Kenn Brewer
Plaintiff's Signature